

BASE REALIGNMENT AND CLOSURE (BRAC)

Briefing for:

**CPAC- NAF Division
Chiefs
MWR Training
Conference
Louisville, Kentucky**

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BRAC


- Plan and be prepared
- Timelines must be established
- Final decisions necessary to officially begin personnel process
- In the meantime:
 - Attend briefings
 - Read website information
 - Attend counseling sessions
 - Attend training on resume preparation
 - Learn about transition assistance (army career and alumni program)



BRAC

Nonappropriated Funds

- Missions may transfer resulting in:
 - Business Based Actions (BBAs)
 - Transfer of function (TOF)
- Functions may cease to exist resulting in BBAs







NAF BUSINESS BASED ACTION (BBA) (AR 215-3, Chapter 10)

- BBAs are non-disciplinary actions taken to reduce or realign the workforce.
- Applies to:
 - Regular Full-Time (RFT)
 - Regular Part-Time (RPT)
 - Flexible (FLX) (employed by NAFI for 3 continuous years).
 - FLX employees may not be furloughed.
- BBA include:
 - Reduction in pay rate (applicable only to NF employees).
 - Change in employment category.
 - Furlough of regular employee for eight calendar days or more.
 - Separation.



NAF BUSINESS BASED ACTION NOTICES

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- **Specific positions or functions may be targeted; no ranking required.**
 - **Ranking process required in those cases involving more than one employee in the same employment category performing the same job.** (i.e. eliminating 1 RFT waiter out of 5 RFT waiters) This process does not apply for installation closures.
 - Performance (most recent 2 years)
 - Seniority
 - Job related training (may be included)
 - Formal Education (may be included)
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- **Written notifications:**
- RFT and RPT (minimum 30-calendar day advance notice).
 - FLEX (minimum 7 calendar days day notice).
 - Dissolution of NAFI (minimum 60 days advance notice).
 - Notices will not be issued or made effective between 15 December and 3 January.
 - All reduction or relocation of 50 or more RFT or RPT employees require written notification furnished through command channels to DAPE-CPD-NF 30 days in advance of action. Follow AR 5-10 instructions.
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NAF TRANSFER OF FUNCTION (AR 215-3, 10-5)

■ **Definition:**

- The transfer of a continuing function from one DoD NAFI and its addition to one or more other DoD NAFIs or the movement of the function to another commuting area.
- A function is not considered transferred if it is virtually identical to functions already being performed in the other NAFI or commuting area.
- A function is transferred only if it disappears or is discontinued at one location and appears in identifiable form at another location.

■ **Procedures:**

- RFT and RPT employees will be transferred with the function if the alternative is separation or demotion.
- A written offer of transfer will be made at least 30 calendar days prior to to effective date of transfer.
- If the employee declines the transfer the declination must be in writing within 15 calendar days of receipt of offer.
- If transfer is declined employees may be separated without prejudice (See AR 215-3, 10-5.b.) and receive severance pay, if eligible IAW AR 215-3, para 3-25.a.



OPTIONS FOR NAF EMPLOYEES

■ Priority Consideration

- DoD NAF employees separated by business-based action will be afforded priority consideration for Army NAFI positions in the same commuting area.
- Qualified applicants eligible for priority consideration will be referred to the selecting official on a separate referral list and considered prior to other candidates; however, priority consideration does not require mandatory placement,
- **Reemployment Priority List (RPL)**
 - Each installation that has separated RFT or RPT employees by BBA, will retain such employee's names on a reemployment priority list until re-employed but not longer than one year from the date of separation.
 - When the NAFI is filling a vacancy by other than detail or position change, an employee on the RPL will be offered a position when a vacancy occurs in the NAF activity from which the individual was separated if the position is:
 - In the same or lower employment category as the position which separated, and
 - In the same or lower grade or pay level as the position from which separated, and
 - In a position that has substantially the same duties as the position from which separated



OPTIONS FOR NAF EMPLOYEES (cont)

■ Reemployment Priority List (RPL)

- An employee separated from a RFT position will be deleted from the reemployment priority list when he or she accepts or declines a RFT position with a pay rate the same or higher than that of the position from which separated. Under similar criteria, a RPT employee will be removed from the list when he or she accepts or declines a RFT or RPT position with a pay rate at the same or higher level.

■ OPM Interchange Agreement

- Permits the movement of NAF employees to positions in the competitive service in the same manner that employees of the competitive service are transferred to such positions. Civilian personnel offices should make effort to include in the minimum area of consideration those NAF employees who are eligible for noncompetitive appointment under the Interchange Agreement.



OPTIONS FOR NAF EMPLOYEES (cont)

- Joint Training Partnership Act (JTPA)

Department of Labor offer JTPA funds to DoD employees including NAF who have received a notice of involuntary separation.

- Eligible for training
- Adjustment Assistance
- Employment services



OPTIONS FOR NAF EMPLOYEES (cont)

- **Pay and Employee Benefits Protection Under the Portability Act**
 - Provides pay and benefits protection for employees who move between NAF and appropriated fund positions under certain conditions.
- **Permanent Change of Station (PCS) Expenses**
 - PCS expenses may be authorized for essential travel and transportation of NAF employees and their dependents in amounts not to exceed those prescribed in the JTR.
- **Homeowners Assistance Program (HAP)**
 - Authorizes financial assistance for DoD civilian employees homeowners, including NAF employees, serving at or near military installations affected by the downsizing or closure.
 - The law provides a fund established as the HAP Fund. Appropriated funds are authorized for NAF employees eligible for HAP.



OPTIONS FOR NAF EMPLOYEES (cont)

■ **Temporary Continuation of Health Insurance**

- Eligible NAF employees affected by BBA shall be offered the opportunity to elect to retain their health insurance covering up to 18 months from the BBA separation.
 - Employee must be enrolled in the NAF health insurance plan for at least 3 months and still be enrolled at the time of separation by BBA.
 - Health insurance is continued with employee paying 30% of the premium and employer paying 70%, plus the 2% admin fee.

■ **Unemployment Compensation**

- Eligible employees separated because of BRAC may be eligible to receive unemployment compensation in accordance with Federal and applicable State law.
 - Required documentation for processing:
 - Unemployment Compensation for Federal Employee Program (SF-8)
 - Copy of your BBA separation notice
 - NAF Notification of Personnel Action



NAF Annual and Sick Leave


- **Employees affected by BRAC and are in an employment category authorized to earn NAF annual and sick leave may be eligible for certain leave entitlements.**
 - An employee who earns annual leave and will be involuntarily separated as a result of BRAC shall accumulate annual leave without regard to existing “use or lose” limitations.
 - An eligible employee may be authorized to carry over leave in excess of the maximum authorized amount as long as he/she continues to work at the BRAC installation in an employment category authorized to earn and accrue leave. (This provision does not apply to employees assigned to positions or functions located at the installation that are designated to continue after closure as the same location).

NAF Annual and Sick Leave (cont)

- If an employee is close to his/her retirement eligibility date, accrued annual leave may be used to remain on the rolls in a pay status beyond the Business Based Action (BBA) separation date in order to reach retirement eligibility.
- An employee may use annual leave to remain on the rolls in a pay status in order to become eligible to continue DoD NAF Health Benefits Program coverage into retirement.
- Employees who transfer to a NAF position in a different NAFI may transfer annual leave credit from the losing to the gaining employer if both employers agree.
- An employee cannot elect to be paid lump sum annual leave payment if he/she moves to a DoD appropriated fund position with a break in service of 3 days or less; and, the annual leave balance must transfer to the appropriated fund employment system.
- Excess annual leave that remains unused at the time the employee is separated from the installation or activity being closed or realigned, shall be liquidated upon the move by lump sum payment to the employee.

NAF Annual and Sick Leave (cont)

- There is no payment for unused sick leave when an employee separates from a NAF position. If the former NAF employee returns to employment with one of the DoD NAF Components after a separation related to a BBA, his/her sick leave balance at the time of the BBA separation will be restored.
- Unused sick leave cannot be used to remain on the rolls beyond the BBA separation date in order to reach retirement eligibility or post-retirement medical insurance eligibility. Sick leave balance may be added to the employee's period of creditable NAF service for retirement purposes.




SEVERANCE PAY FOR NAF (AR 215-3,3-25)

■ **Eligible employees:**

- Regular employees who have completed at least 12 months of continuous creditable service which must have occurred within the previous 12 months preceding the effective date of the BBA.

■ **Conditions for receipt of severance pay:**

- Employee is involuntarily separated
- Employee basic pay is reduced and employee resigns rather than accept reduction
- Employment category is involuntarily changed from RFT to RPT and employee resigns rather than accept change
- Employment category is involuntarily changed from Regular to Flex
- Employee is furloughed for more than 60 days and employee resigns rather than accept furlough



SEVERANCE PAY FOR NAF (AR 215-3,3-25) (cont)

■ Exclusions from severance pay:

- Was separated for misconduct, unsatisfactory performance, delinquency, disqualification, separation during a probationary period or from a limited tenure position or any other reason other than as a result of BBAs.
- Has refused an offer of a DoD NAFI position within the same commuting area that would not result in a lower rate of basic pay or loss of employment category
- Employed without a break in service of more than 3 calendar days after separation in another DoD NAF regular position or a DoD APF position without a time limit on the length of appointment
- Is entitled to an immediate unreduced annuity from either the NAF or APF retirement plan
- Is receiving payments from Department of Labor's Office of Workers Compensation for a job related injury



SEVERANCE PAY FOR NAF (cont)

(AR 215-3,3-25)

■ **Creditable service:**

- Service in a pay status as a regular employee in one or more DoD NAFIs
- Service in a continuing APF position, if the employee moved from a DoD APF position to a DoD NAF position on or after January 1, 1987, without a break in service of 3 days
- Military service that interrupted creditable service as prescribed in chapter 43 of 38 U.S. Code

■ **Exclusions from creditable service:**

- Service upon which a NAF or civil service annuity is based.
- Period of service for which NAF or APF severance pay was previously granted
- Service used to determine an employee's APF severance entitlement under the provisions of 5 U.S.C. 5595 (h).



SEVERANCE PAY FOR NAF (cont) (AR 215-3,3-25)

■ Calculation of severance pay:

- One week of current basic pay for each year of civilian service up through 10 years
- Two weeks of current basic pay for each year beyond 10 years
- Twenty-five percent of the otherwise applicable amount for each full 3 months of creditable service beyond the final full year
- Maximum severance amount is 52 weeks of basic pay
- Severance pay will be paid in a lump sum payment

(Note: Overseas activities that have previously been granted exception authority by DA may continue to make severance payment in conformance with that exception.)



Discontinued Service Retirement (DSR) Voluntary Early Retirement Authority (VERA)

- **Discontinued Service Retirement (DSR)**- is an entitlement when an eligible employee is facing involuntary separation through BBA.

Voluntary Early Retirement Authority (VERA) - intended to reduce involuntary separations by allowing eligible employees who are not facing involuntary separation to retire thus creating a vacancies for employees that can be filled by employees who would otherwise be separated by BBA.
- **DSR or VERA Eligibility** - employees must have participated in the retirement system for at least one year within the two year period immediately preceding this separation or retirement; and
 - Have attained age fifty (50) with twenty (20) years of credited service, as defined in Para 15-21 of AR 215-3
 - Any age with twenty five (25) years of credited service
 - Basically annuity is reduced one-sixth of one percent from benefits which would have been otherwise payable at the age of 55 or after.



Voluntary Separation Incentive PAY (VSIP)

- **Voluntary Separation Incentive Pay (VSIP) -**
Authorized when an employee's voluntary resignation creates a vacancy that can be used to reshape the organization to meet critical mission needs.
- **The incentive is a lump sum or installment payments equal to an employee's severance pay entitlements up to a maximum of up to \$ 25,000**
- **Eligibility Criteria**
 - Serving in a permanent (RFT or RPT) appointment
 - Eligible for optional retirement, voluntary early retirement or resignation. - An employee not eligible to receive severance pay may receive a buyout
 - Have been continuously employed by DoD for at least 12 months
 - An employee receiving VSIP on or after March 30, 1994, who accepts employment with the U.S. Government (including personal services contract) within 5 years after the date of separation shall be required to repay the entire amount of the separation incentive.
 - A DoD employee who receives separation pay may not be reemployed by the Department of Defense in any capacity for a 12-month period beginning on the effective date of the employee's separation.



EARLY RETIREMENT

- **Supplemental Early Retirement Benefit (SERB)***- employee retires before age 62 and receives an early annuity and a supplemental early retirement benefit until age 62 and becomes eligible for social security benefits.

- * **Disability annuitants are not eligible to receive SERB**

Other Retirement Options

- **Early (Reduced) Annuity at:**
 - 50 and twenty years of service
 - 52 and five
- **Normal (Unreduced) Annuity:**
 - 62 and five years
 - 60 and twenty years
 - 55 and thirty years
- **DSR/VERA**
 - 55 and twenty
 - Any age and twenty-five
- Retirement estimates may be obtained at NAF benefits website: <http://www.nafbenefits.com>



HELPFUL WEBSITES

■ Federal Web Sites:

- cpol.army.mil
- www.cpms.osd.mil/bractransition/
- www.abc.army.mil/ or www.nafbenefits.com
- www.opm.gov
- www.tsp.gov

■ Other Web Sites:

- <http://www.doleta.gov/usworkforce/onestop/>
- <http://workforcesecurity.doleta.gov/map.asp>
- <http://www.ajb.dni.us/>



Employment Opportunities

- Keep abreast of NAF positions that may be available within DoD through the following links:
- Army Civilian Online:
<http://acpol.army.mil/employment/naf.htm>
- Army Career Referral Program:
<http://www.mwrjobs.army.mil/>
- Army and Air Force Exchange Services:
<http://odin.aafes.com/Employment/default.asp>
- Air Force Services Career Program: <http://www-p.afsv.af.mil/CR/>
- Navy Morale, Welfare and Recreation:
<http://www.mwr.navy.mil/mwrprgms/personnel.html>
- Marine Corp Community Services:
<http://www.usmc-mccs.org/employ/jobvacs.cfm#hq>